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10/662,889	09/15/2003	Syed Mohammad Amir Husain	5602-11500	1171

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EXAMINER

WANG, LIANG CHE A

ART UNIT	PAPER NUMBER
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2155

MAIL DATE	DELIVERY MODE
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10/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/662,889

Applicant(s)

HUSAIN ET AL.

Examiner

Liang-che Alex Wang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-13,15-24 and 26-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-13,15-24 and 26-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1, 2, 4-13, 15-24, 26-33 are presented for examination.
2. Claims 1, 2, 12, 13, 15-23, 33 and 34 are amended and claims 3, 14, and 25 are canceled.
3. This action is in response to amendment filed on 9/20/2007.

Response to Arguments

4. Applicant's arguments filed 09/20/2007, have been fully considered but they are not persuasive.
5. In that remarks, applicant's argues in substance:
 - a. That: Kenton does not teach or suggest that the same task is performed on at least two different computer systems.

In response to applicant's argument, allocation is done at the top of VPN (Col 5 lines 32-40), and the allocation is also updated at PMA (Col 6 lines 14-19, Col 4 lines 37-41, data is updated in the PMA database in response to the allocation, which locates in a computer system distinct from the first system (bottom of VPN)).

- b. No teaching or suggestion in Kenton that the message identifies the particular application or otherwise comprises identifying characteristics of the source application.

In response to applicant's argument, in Col 7, lines 48-58, the XeML messages comprises a Stage tag that contains the data needed by the steps that a particular

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application must execute to fulfill its role in the process, and figure 3, shows

TMA (source application) is part of the stage elements.

- c. There is no teaching or suggestion that the same task is performed twice on the same computer system.

In response to applicant's argument, an updated rejection is provided below.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims s 1, 4, 9-12, 15, 20-23, 26, 31-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Kenton, US Patent Number 6,845,507, hereinafter Kenton.
8. Referring to claim 1, Kenton teaches a method comprising:
 - a. entering user input to a source application (TMA 102) on a first computer system (top of VPN corresponds to the first computer system, figure 4) to request performance of a task (Col 4 line 38-41, user requests for purchasing 1000 shares at TMA, and the allocation corresponds to the “performance of a task”,);
 - b. performing the task on the first computer system in response to the user input (Col 5 lines 32-40, allocation takes place at the top of VPN, which is the first computer system);

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- c. generating a message (TMA messages) in response to the user input (Col 5 lines 19-22), wherein the message comprises one or more instructions which are computer-executable to perform the task (Col 5 lines 40-43, Col 3 lines 61-64, Col 7 lines 60-64), and wherein the message comprises metadata which comprise identifying characteristics of the source application (Col 7 lines 55-58, figure e3, stage data comprises information describes TMA (source application));
 - d. translating the message from an original format to a portable format on the first computer system, thereby generating a portable message (Col 11 lines 35-38, the original message is modified before being placed to the queue);
 - e. storing the portable message in a message log (Col 6 lines 14-19);
 - f. retrieving the portable message from the message log (Col 6 lines 14-17); and
 - g. executing the one or more instructions to perform the task on one or more additional computer systems (Col 6 lines 14-19, Col 4 lines 37-41, data is updated in the PMA database in response to the allocation, which locates in a computer system distinct from the first system.(bottom of VPN)).
9. Referring to claim 4, Kenton teaches the method of claim 1, wherein the message log comprises a queue (Col 5 lines 19-31 MSMQ 406).
10. Referring to claim 9, Kenton teaches the method of claim 1, further comprising: sending the portable message from the first computer system to a second computer system using peer-to-peer message passing between the first computer system, the second computer system, and optionally one or more intermediary computer systems (figure 4, portable

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message is sent from the TMA system to PMA system); and performing the requested task on the second computer system (Col 6 lines 14-19).

11. Referring to claim 10, Kenton teaches the method of claim 9, further comprising: routing the portable message to a target application on the second computer system based on the metadata (Col 7 lines 55-58, figure 2 and 4, PMA corresponds to second computer system).
12. Referring to claim 11, Kenton teaches the method of claim 1, wherein the portable format comprises XML, and wherein the portable message comprises an XML message (Col 11 lines 31-38).
13. Referring to claims 12, 15, 20-23, 26, 31-33 claims 12, 15, 20-23, 26, 31-33 encompass the same scope of the invention as that of the claims 1, 4, 9-11. Therefore, claims 12, 15, 20-23, 26, 31-33 are rejected for the same reason as the claims 1, 4, 9-11.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 2, 13, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenton in views of Dodrill et al., US Patent Number 6,766,298, hereinafter Dodrill.

16. Referring to claim 2, 13, and 24, Kenton teaches the invention as described in claims 1, 13 and 24. Kenton does not teaches retrieving the portable message and executing the one or more instructions to perform the task again on the first computer system.

However, Dodrill teaches that if an input does not match to a valid option, then the same XML document can be executed to prompt the user again (Col 15 lines 16-18).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have Kenton's portable (XML) message to be retrieved and performed again as taught by Dodrill because both Kenton and Dodrill teach performing task by using XML messages.

A person with ordinary skill in the art would have been motivated to make the modification to Kenton because having the XML to be executed and prompt to the user again would allow user to correct a previous error as taught by Dodrill.

17. Claims 5-8, 16-19, 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenton in views of Sweeney et al., US Publication Number 2002/0032646, hereinafter Sweeney.

18. Referring to claim 5-8, 16-19, 27-30, Kenton teaches an invention as described in claim 1, 12, and 23, however, Kenton does not expressly teaches sorting the message log by the metadata, application type, message sender, or message recipient.

However, Sweeney teaches a automated brokerage risk management system that allows users to sort/filters communications by date, sender/recipient, communication type or other appropriate groupings (page 6 [0069]).

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It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have Kenton's brokerage system to include the sorting feature because both Kenton's system deals with a lot of communications (messages) and Sweeney provides a way to managing and organizing the communications (page 6 [0069])


A person with ordinary skill in the art would have been motivated to make the modification to Kenton because sorting would enhance the searching functionality to assist managers in making and managing their procurement decisions as taught by Sweeney (page 1 [0005]).

Conclusion

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
20. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
22. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
23. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang 
October 9, 2007


GLENTON B. BURGESS
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